

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 20, 1947
10:55 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call

Present : Councilmen Glass, Johnson, Mayor Miller, and
 Councilman Thornberry - 4
Absent : Councilman Bartholomew - 1

Present also: Guiton Morgan, City Manager; Trueman E. O'Quinn, City Attorney; J. E. Motheral, Director of Public Works; and R. D. Thorp, Chief of Police.

The City Council joined with the Mayor in proclaiming Saturday, November 22, as "HELP A CRIPPLED CHILD DAY", and, by rising vote, extended thanks to Ben Hur Temple of the Shrine for their efforts in establishing a Crippled Children's Clinic for the physically-handicapped children of Central Texas.

The City Council joined with the Citizens Food Committee in asking the citizens to plant peacetime gardens of the variety that will make fall and winter vegetables.

The application of John J. Stumpf for change in zoning, from "C-1" Commercial District to "C-2" Commercial District, of Lots 9, 10, and 11, Block 1, Outlot 14, Division "D", was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman
 Thornberry

Noes : None

Absent: Councilman Bartholomew

The public hearing on the application of Mrs. Ellen Wagner to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District, to-wit:

Part of Lots 2 and 3, and all of Lot 4, Block D, Ridgetop Addition, being located at the southeast corner of Airport Boulevard and East 51st Street in the City of Austin, Travis County, Texas,

called for this day was cancelled, in accordance with the written request of the applicant, Mrs. Ellen C. Wagner.

The application of Ben H. Powell, Mrs. Ellen C. Wagner, E.R. Spradling, Elizabeth Young and Fannie McNutt, by Stanford Payne, Agent, and E.F. Collins for change in zoning, from "A" Residence District to "C" Commercial District, of the east side of Airport Boulevard from East 50th Street to East 53rd Street, inclusive, was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

Pursuant to published notice thereof, the public hearing on the application of Mr. and Mrs. Martin L. Anderson, owners, and H. A. Beatty, lessee, respectively, of the property, to amend the Zoning Ordinance in the following particular:

To amend the USE designation of the following described property so as to change the same from "C" Commercial District to "C-2" Commercial District, to-wit:

Lot 2, Block 1, Forest Hills Addition, being located on the north side of Manor Road between Lafayette Avenue and French Place, in the City of Austin, Travis County, Texas,

was opened.

The following proponents of the change were heard substantially as follows:

Martin Anderson, owner, and H. A. Beatty, lessee, respectively, of the property, plead for the change on the grounds that lessee desires an off-premise license to sell beer in connection with his grocery store located at 1916 Manor Road; that he does not intend to have a "honky-tonk" or junk yard there, but a nice, respectable place that will be a benefit to the people in the neighborhood.

The following opponents of the change, representing a large group of property owners present, protested the change substantially as follows:

Mrs. A. Thomas declared that when she bought her home from Mrs. Anderson she represented this to be a nice, clean, neighborhood; that since then, the Andersons have moved from the neighborhood and their reason for asking for the change now is because the valuation of their property has been raised and they have to pay more taxes; that if this zone is changed surrounding property will naturally decrease in value and they will ask to have their taxes reduced; that lessee does not need to sell beer to increase his patronage because he has already built that store up to where it is equal to any in the city; that only two families would benefit by the change, whereas fifty families would be injured by it; that while they think the present lessee would never sell beer except by the case, they have no assurance that the next tenant would not ; and further, that she was expressing the sentiment of a number of property owners living on her street.

P. S. Mangum declared that he put on this subdivision and bought lots there because of the deed restrictions and that he bought other property to protect the subdivision; that many families there do not want those restrictions removed and this is the only lot in the entire subdivision that is not restricted against the sale of any kind of liquor, and that the people bought there and built their homes on account of those restrictions.

J. A. Saunders declared that he bought in that neighborhood for a home and would regret very much to see a liquor store go in there; that a majority of the property owners do not want it there, and that it would depreciate the value of their property.

Mrs. J. H. Sellstrom declared that she objects to the sale of beer in this store, which adjoins her backyard; that they have no assurance how long Mr. Beatty will continue to operate the store and the next tenant might want to sell beer to be consumed on the premises; and she further presented a lengthy petition signed by the property owners in the neighborhood protesting the change.

All property owners and other interested persons having been given an opportunity to be heard, Councilman Johnson moved that the hearing be closed, and that it appearing that a majority of the property owners do not want the change, the recommendations of the Board of Adjustment be sustained and the change be denied. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

John T. Shackles, Colored, came before the Council to appeal his application for a taxicab driver's permit, recommended for denial. It was the sense of the Council that the matter be deferred until after the first of the coming year, at which time, if applicant's record is clear,

a probationary permit will be considered.

The application of EARL KENNETH GOSS, 907 West 9th Street, for a taxicab driver's permit, approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman
Thornberry
Noes : None
Absent: Councilman Bartholomew

The application of ALBERT CHARLES CLAWSON, 2405 West 10th Street, for a license to operate as a taxicab a 1941 Model, Dodge 4-door Sedan, Motor No. D19-17453, State License No. JB-4584, approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman
Thornberry
Noes : None
Absent: Councilman Bartholomew

The application of WILLIAM OTIS WOODRUFF, 708 West 6th Street, for a license to operate as a taxicab a 1940 Model, 4-door Chevrolet Sedan, Motor No. 3024266, State License No. JB-8961, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman
Thornberry
Noes : None
Absent: Councilman Bartholomew

The following application for private boat license, duly approved by the Navigation Board, was submitted:

| <u>Name of Owner</u> | <u>Description</u> |
|---|---|
| Vanderplas, James M., 1104 West 6th St. | Folbot, Kayak, 1947 Model, "Morrie", 3-passenger |

Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes: Councilmen Glass, Johnson, Mayor Miller, and Councilman
Thornberry
Noes: None
Absent: Councilman Bartholomew

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said

maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A 9'x7'x7' Concrete Regulator Pit in EAST 12TH STREET, the centerline of the 7' axis to be 18' south of and parallel to the north line of East 12th Street, and the centerline of the 9' axis to be 4.5' west of and parallel to the west line of East Avenue.
- (2) A 9'x7'x7' Concrete Regulator Pit in EAST 11TH STREET, the centerline of the 7' axis to be 11' south of and parallel to the north line of East 11th Street and the centerline of the 9' axis to be 170' east of and parallel to East Avenue.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

And that whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman
Thornberry
Noes : None
Absent: Councilman Bartholomew.

Councilman Glass offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the Director of Public Works; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be, and the same is hereby, permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit across EAST 11TH STREET at a location 177 feet west of and parallel to the centerline of East Avenue.

THAT the work and construction of said underground telephone conduit, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

Councilman Thornberry offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the east side of Pedernales Street as a private gasoline plant, which property is a part of the W. L. Cox and Bird Kohn Tract and is leased by A. L. McKown & Sons, and hereby authorizes the said A. L. McKown & Sons to operate a private gasoline plant consisting of a 1000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same's being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after

hearing, it is found by the City Council that the said A. L. McKown & Sons have failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

Austin, Texas
November 20, 1947

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

I, the undersigned, have considered the application of A. L. McKown & Sons, General Contractors, for permission to operate a private gasoline plant consisting of a 1000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the east side of Pedernales Street, which property is designated as part of the W. L. Cox and Bird Kohn Tract, and locally known as 641 Pleasant Valley Road.

This property is located in an "E" Industrial District and I recommend that this permit be granted subject to the following conditions:

- (1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the ordinance governing the storage and handling of gasoline.
- (2) That all pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.
- (3) That "No Smoking" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.
- (4) That all fees shall be paid and a permit secured from the Building Inspector's office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

Respectfully submitted,

(Sgd.) J. C. Eckert
Building Inspector. "

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman
Thornberry

Noes : None
Absent: Councilman Bartholomew

Councilman Thornberry introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK #L#, PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK #I#, PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT AND THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT ON LOT 4, BLOCK 172, AND LOT 4, BLOCK 173, ORIGINAL CITY, IN THE CITY OF AUSTIN TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Thornberry moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

The ordinance was read the second time and Councilman Thornberry moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

The ordinance was read the third time and Councilman Thornberry moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

The Mayor then announced that the ordinance had been finally passed.

The following memorandum was submitted by the City Manager:

November 19, 1947

Memorandum to : Guiton Morgan, City Manager

Memorandum from : J. E. Motheral, Director of Public Works.

The final subdivision plat of Crestview Addition has been completed and was approved by the City Plan Commission on July 10, 1947. We have memoranda from water, sewer, gas, and street superintendents stating that the subdivider has complied with their respective parts of the subdivision regulations.

It is recommended that this plat be formally accepted by the City Council.

Approved:

Guiton Morgan, City Manager "

Councilman Glass then offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Crestview Addition" approved by the City Plan Commission of the City of Austin on July 10, 1947, be, and the same is hereby, accepted and authorized to be filed on record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman
Thornberry

Noes : None

Absent: Councilman Bartholomew

Councilman Thornberry introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON MAY 6, 1937, AND IS RECORDED IN BOOK "K" PAGES

159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN BY AMENDING ARTICLE III, SECTION 12(b) RELATING TO STOP SIGN LOCATIONS, AND BY AMENDING ARTICLE IV, SECTIONS 22(e) AND 26(a) RELATING RESPECTIVELY TO ONE HOUR PARKING LOCATIONS AND ANGLE PARKING; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Thornberry moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

The ordinance was read the second time and Councilman Thornberry moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

The ordinance was read the third time and Councilman Thornberry moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

The Mayor then declared that the ordinance had been finally passed.

The Mayor called up for its second reading the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 85.91 ACRES OF LAND, BEING A PORTION OF THE ISAAC DECKER LEAGUE IN TRAVIS COUNTY, TEXAS, AND ALSO 160.88 ACRES OF LAND, BEING A PORTION OF THE GEORGE W. SPEAR LEAGUE IN TRAVIS COUNTY, TEXAS, ALL OF WHICH LAND AND TERRITORY LIE ADJACENT TO AND ADJOINING THE PRESENT LIMITS OF THE CITY OF AUSTIN IN THE PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the second time and Councilman Glass moved that the ordinance be passed to its third reading and laid over. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

The ordinance was then laid over for its third reading.

Councilman Glass introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF TEN AND TWELVE ONE HUNDREDTHS (10.12) ACRES OF LAND, BEING A PORTION OF THE ISAAC DECKER LEAGUE IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Glass moved that the ordinance be passed to its second reading and laid over for publication as required by the City Charter. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry
Noes : None
Absent: Councilman Bartholomew

The ordinance was then laid over.

Councilman Johnson introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 124.56 ACRES OF LAND, BEING A PORTION OF THE THOMAS HAWKINS SURVEY, THE THOMAS HARRILSON SURVEY, PORTIONS OF OUTLOTS 27 AND 50, DIVISION B, AND ALSO PORTIONS OF OUTLOTS 32, 34, AND 35, DIVISION C, OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TEXAS, ALL OF WHICH LAND AND TERRITORY LIES ADJACENT TO AND ADJOINING THE PRESENT LIMITS OF THE CITY OF AUSTIN IN THE PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Johnson moved that the ordinance be passed to its second reading and laid over for publication as required by the City Charter. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry
Noes : None
Absent: Councilman Bartholomew

The ordinance was then laid over.

The Mayor offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the reappraisal of all taxable property within the City of Austin has been completed by the City Tax Assessor and Collector, except for a continuing check for the correction of errors and to determine whether assessments are incorrect; and

WHEREAS, the Board of Equalization is now hearing appeals from those property owners who believe the values as determined by the City Tax Assessor and Collector are incorrect and each of these property owners has the right of appeal to the City Council from the decision of the Board of Equalization; Therefore,

The City Council makes the following statement regard the reappraisal program, and also a statement of policy regarding the right of appeal and the correction of erroneous assessments:

1. The City Council believes that a thoroughly competent and fair approach to a study of reappraisal of property in general has been made by the Citizens' Advisory Tax Reappraisal Committee, and hereby thanks each member of the Committee for the months of work which each has contributed.
2. The City Council believes that the Advisory Committee secured honest and competent advice from realtors, business firms, private citizens, and others as the basis for recommendations as to property values.
3. The City Council believes that the George G. Ehrenborg Company has done an excellent technical job of measuring and evaluating property and of performing the necessary calculating work involved in appraisal by the Tax Assessor and Collector of all property both real and personal .
4. The City Council also believes that the employees in the Tax Department have diligently and intelligently done the necessary reappraisal work in addition to their normal duties.
5. The City Council fully realizes that no matter how carefully and fairly each group has done its part of the reappraisal program that mistakes are unavoidable and that corrections must be made wherever and whenever such mistakes are found; Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following policy be stated:

1. The Board of Equalization will continue hearings from those property owners who have filed requests for same until all have had a fair hearing.
2. Tax statements will be prepared for all property owners, whether protests or appeals are pending or not, so that for income tax or for other reasons, taxes may be paid before January 1, 1948, if the property owner wishes to do so. However, where a protest or an appeal is pending and the property owner pays said taxes and the valuations are changed at a subsequent date, any overpayment shall be refunded based on the revised valuation.
3. In cases in which there has been no protest and no appeal, but where changes are made as a result of some other protest or appeal on land, or where errors are later found, such property owners shall likewise have any

overpayments refunded based on revised valuations.

Summarizing, it is the purpose and policy of the City Council that taxes shall be equal and uniform and that the reappraisal program now in its concluding stage shall be fair and just and that errors will be corrected now or in the future whenever discovered, and that whenever an overpayment is made such amount shall be refunded, whether such overpayment is the result of changes in valuations for 1947 or the result of errors later discovered by either the City of Austin or by any property owner, and that all agents and employees are directed to comply with this policy.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew.

The following report of the Board of Adjustment was received:

ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant : Dudley P. Prade

I. Referred to the Board by the City Council on : November 6, 1947

II. Property affected:

Lots 1, 2, 3, 4, 5, 6, 7, and 8, Block 1, Walsh Place Addition, being the half-block located on the north side of Enfield Road between Robin Hood Trail and Schulle Avenue

III. To be changed

From : "A" Residence District and First Height and Area District

To : "B-1" Residence District and Second Height and Area District

IV. Considered by the Board on : November 18, 1947

V. Parties appearing:

For : Dudley P. Prade

Against : None

VI. Action of the Board : Change recommended.

For the following reasons:

1. The owner proposes to develop this property for apartment buildings planned in accordance with the requirements of Title VI of the Federal Housing Program, which would provide ample open spaces between buildings and normal density of population per acre. This type of development would not adversely affect the surrounding property.
2. The four corners at the intersection of Robin Hood Trail and Bonnie Road are now zoned for business which would serve the domestic needs of this development.
3. No objections by the neighbors were registered with the Board at the hearing.
4. Under these circumstances, the Board deemed that this change would not adversely affect the residential character of this neighborhood.

(Sgd) H. F. Kuehne
Chairman. #

Councilman Glass moved that a public hearing on the above application of Dudley P. Prade for change in zoning be called for Thursday, December 11, 1947, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

Upon motion, seconded and carried, the meeting was then recessed, subject to call of the Mayor.

Approved: Tom Miller
MAYOR

Attest:

Hallie Miller

CITY CLERK